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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/642,534	08/14/2003	Jane Jiaying Jin	CISCO-8126	3174

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David B. Ritchie
THELEN REID & PRIEST LLP
P.O. BOX 640640
SAN JOSE, CA 95164-0640

EXAMINER

REVAK, CHRISTOPHER A

ART UNIT

PAPER NUMBER

2131

DATE MAILED: 09/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/642,534

Applicant(s)

JIN ET AL.

Examiner

Christopher A. Revak

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 August 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date see attached.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Specification

1. Applicant is reminded of the following requirement:

In a continuation, the first sentence of the specification or application data sheet (37 CFR 1.76) should include a reference to the prior application(s) from which benefit of priority is claimed. See 37 CFR 1.78. The following format is suggested: "This is a continuation of Application No. 09/882,256, filed on June 14, 2001, now issued as U.S. Patent 6,643,782 and is a continuation of Application No. 09/128,990, filed August 3, 1998, now issued as U.S. Patent 6,311,275."

Nonstatutory Double Patenting

2. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and, *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

3. Claims 1-7 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-8, 10-12, and 14-28 of U.S. Patent

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No. 6,311,275. Although the conflicting claims are not identical, they are not patentably distinct from each other because the claims of the instant application are envisioned by patent claims 1-8,10-12, and 14-28 of the instant application. Claims 1-7 of the instant application therefore are not patently distinct from the earlier patent claims, and as such, are unpatentable for obvious-type double patenting.

4. Claims 1-7 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-37 of U.S. Patent No. 6,643,782.

Although the conflicting claims are not identical, they are not patentably distinct from each other because the claims of the instant application are envisioned by patent claims 1-37 of the instant application. Claims 1-7 of the instant application therefore are not patently distinct from the earlier patent claims, and as such, are unpatentable for obvious-type double patenting.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1 is rejected under 35 U.S.C. 102(e) as being anticipated by He.

As per claim 1, it is disclosed in the teachings of He of single sign-on, SSO, performed by a security (AAA) server where a user (subscriber) is saved the trouble of having to remember multiple passwords in order to gain access to network elements (NAS and SSG servers providing access to first and second areas) that provide different services (column 4, lines 30-33 and column 9, lines 13-20). Figure 3 shows multiple network elements, NE (NAS and SSG servers) linked together. At the security (AAA) server, identifiers identifying a user and associated passwords required for the network elements (SSG and NAS servers) associated to a user are stored (column 9, lines 27-34). A first authenticates to the security server, by means of an identifier that identifies a user and its associated password, and is returned a ticket (interpreted by the examiner as being a packet) containing the password and identifier for the network elements (NAS and SSG servers) from (intercepted and forwarded) the security (AAA) server and the user then chooses the network element (NAS and SSG servers) that is desired access to. It is understood that the password and identifier is retrieved from the security (AAA) server by a translation (manipulation) process where the user's authentication to the security (AAA) server is processed and the server then looks up the stored user's credentials (passwords and identifiers) associated to the network elements (NAS and SSG servers) that were previously stored. The log-on process is then simulated to the chosen network element (NAS and SSG servers) where access is granted if the identifier that identifies a user and its associated password are authorized where data is access by the user and the results are sent from the network element (database/server)(column 10, lines 15-30 and column 12, lines 13-16). Once this

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process is completed, the user can then automatically log on to all network elements (NAS and SSG servers) that they are authorized for without having to re-enter authentication credentials (column 2, lines 28-32).

Allowable Subject Matter

7. Claims 3-7 are allowed over the prior art of record, however a terminal disclaimer is to be provided to overcome the non-statutory double patenting rejection with that of U.S. Patent 6,311,275 and U.S. Patent 6,643,782.

As per claim 2, it was not found to be taught in the prior art of a linking a Network Access Server (NAS) to a Selection Service Gateway (SSG) Server. The network has a first and second separate area. The SSG server forwards an access-request packet from the NAS when the subscriber connects to the NAS and forwards it to the Authentication Server. The Authentication Server routes packet to the NAS where the SSG Server uses the information in the packet to complete log-on for the subscriber to the first and second areas.

As per claim 3, it was not found to be taught in the prior art of forwarding an access-request packet to an Authentication, Authentication, and Accounting Server, in reply to the access-request packet, sending an access-reply packet from the Authentication, Authentication, and Accounting (AAA) Server to a Service Selection Gateway (SSG) Server. Checking the access-reply packet if it contains an IP address, if the access-reply packet does not contain an IP address, logging the subscriber on to the SSG Server with a temporary IP address. The access-reply packet is then

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forwarded to a Network Access Server (NAS) and the subscriber is logged onto the NAS if the packet contains authorization from the Authentication, Authorization, and Accounting Server and a genuine IP address is assigned and sent in an account-start packet to the SSG Server. The temporary IP address is then replaced by the genuine IP address on the SSG server.

8. The examiner is suggesting by amending claim 1 to be consistent with the previous applications, it would be allowable over the prior art of record. The examiner is suggesting claim language to indicate a Network Access Server (NAS) that provides access to a first area and a Selection Service Gateway (SSG) Server that provides access to a second area, whereby the SSG server is connected between the NAS and an Authentication, Authorization, and Accounting Server. The SSG server intercepts and forwards packets of data sent between the NAS and the AAA Server so that packets of data sent to the AAA Server by the NAS are intercepted and forwarded by the SSG Server and packets of data sent by the AAA Server to the NAS are intercepted and forwarded by the SSG Server.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Please see attached PTO-892

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10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher A. Revak whose telephone number is 703-305-1843 until October 21, 2004 when then can be reached at 571-272-3794. The examiner can normally be reached on Monday-Friday, 6:30am-4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 703-305-9648. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CR

CR

September 14, 2004

Christopher Revak

AU 2131

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9/14/04